

FILED  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ0240

UNITED STATES OF AMERICA,

Plaintiff,

v.

Marisa Melena MAFNAS

Defendant.

BY: *[Signature]*

Magistrate Case No. \_\_\_\_\_

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section  
1324(a)(1)(A)(ii)-Transportation of Illegal Aliens

The undersigned complainant being duly sworn states:

On or about January 25, 2008, within the Southern District of California, defendant Marisa Melena MAFNAS, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, Teresa HERNANDEZ-Samano and Jose HERNANDEZ-Samano had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

*[Signature: Claudia Rios]*  
SIGNATURE OF COMPLAINANT  
Claudia Rios, U.S. Customs and Border  
Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 28<sup>th</sup> DAY OF January, 2008.

*[Signature: Barbara L. Major]*  
MAGISTRATE JUDGE

**PROBABLE CAUSE STATEMENT**

I, United States Customs and Border Protection (CBP) Enforcement Officer Jose Haro, declare under penalty of perjury the following to be true and correct:

The complainant states that **Teresa Hernandez SAMANO** and **Jose Hernandez SAMANO** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 25, 2008 at approximately 4:25 PM, defendant **Marisa Melena MAFNAS (D-1)** was stopped at a United States Border Patrol Checkpoint, driving a burgundy Honda Accord bearing California plates. **D-1** presented herself for inspection before a United States Border Patrol Agent. **D-1** declared herself as a United States Citizen.

During an examination of the vehicle by a Border Patrol Agent, two people were discovered concealed in the trunk of the vehicle. The vehicle and occupants were referred to the secondary inspection area. Once in secondary, an adult male and female were removed from the trunk of the vehicle. Both were determined to be citizens of Mexico without legal documentation or entitlements to enter, pass through or remain in the United States and were identified as **Teresa Hernandez SAMANO (MW1)** and **Jose Hernandez SAMANO (MW2)**

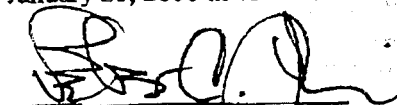
Material Witness (MW1) **Teresa Hernandez SAMANO** was interviewed and the following statement was obtained: **MW1** admitted she is a citizen and native of Mexico with no legal documents or entitlements to enter, pass through or remain in the United States. **MW1** stated a family member made all of the arrangements for her to be smuggled into the United States for \$2000.00 dollars. **MW1** stated she was on her way to Santa Ana, California, to seek employment.

Material Witness (MW2) **Jose Hernandez SAMANO** was interviewed and the following statement was obtained: **MW2** admitted he is a citizen and native of Mexico with no legal documents or entitlements to enter, pass through or remain in the United States. **MW2** stated a family member made all of the arrangements for him to be smuggled into the United States for \$2000.00 dollars. **MW2** stated he was on his way to Santa Ana, California, to seek employment.

EXECUTED ON THIS 26th DAY OF January 2008 AT 2:00 AM.

  
Jose Haro / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (1) page(s), I find probable cause to believe that the defendant named therein committed the offense on January 25, 2008 in violation of Title 8, United States Code, Section 1324.

  
MAGISTRATE JUDGE

1-26-08 @ 2:41 pm  
DATE / TIME

TOTAL P.03